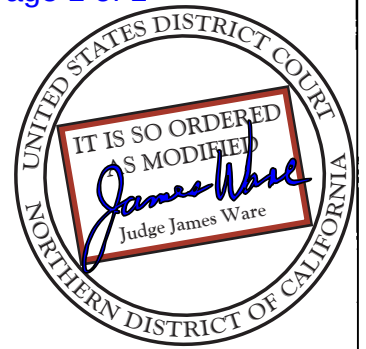


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION



GRANITE ROCK COMPANY,

Plaintiff,

v.

TEAMSTERS LOCAL 287 &
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS,

Defendants.

Case No. C-04-2767-JW

**[PROPOSED] ORDER STAYING
COMPLIANCE WITH THE REMAND
ORDER AND MANDATE OF THE NINTH
CIRCUIT PENDING PETITION FOR
WRIT OF CERTIORARI**

Hearing date: March 9, 2009
Time: 10:00 a.m.
Courtroom: 8
Judge: Honorable James Ware

The Court having been informed by counsel for both parties that Plaintiff intends to petition the United States Supreme Court for a Writ of Certiorari; counsel for both parties having requested the Court to issue an order staying compliance with the remand Order and Mandate of the Ninth Circuit Court of Appeals; and good cause having been shown:

IT IS ORDERED THAT, upon stipulation of the parties, compliance with the remand Order and Mandate of the Ninth Circuit Court of Appeals in this case is stayed until final disposition of Plaintiff's anticipated Petition for Writ of Certiorari to the United States Supreme Court, or through March 30, 2009, in the event that such petition is not filed on or before that date.

Accordingly, the Ninth Circuit Mandate shall be STAYED up to **April 3, 2009**. On or before **April 13, 2009 at 10 a.m.**, the parties shall appear for a Status Conference. On or before **April 3, 2009**, the parties shall file a Joint Status Statement, in which they shall apprise the Court of the status of Plaintiff's anticipated petition for writ of certiorari. If Plaintiff files such a petition, as proposed, the Court will stay all proceedings in this matter and vacate the April 13 Case Management Conference.

Dated: March 5, 2009


JAMES WARE

United States District Judge

**[PROPOSED] ORDER STAYING CASE
MANAGEMENT CONFERENCE
CASE NO. C-04-2767-JW**